

TITLE 10

CHAPTER 27. CONSTABLES

§ 2703 Qualification and training.

(a) A constable must be 21 years of age or older.

(b) To be approved by the Board of Examiners, a constable applicant shall meet the minimum standards established by the Board and shall participate in such other training as the Board requires.

(e) After appointment, the Board of Examiners shall determine, based on the constable's duties and employment, whether a constable shall be permitted to carry firearms while on duty as a constable. The Board of Examiners shall establish standards and requirements of firearms training and training in the use of deadly force for those constables permitted by the Board to carry firearms while on duty. Any constable not so trained is prohibited from carrying a firearm while on duty.

RULES & REGULATIONS

5.0 Firearm's Policy

5.1 Section 5.0 shall apply only to individuals licensed under 10 **Del.C.** Ch. 27, while such individuals are acting in the performance of their duties as a constable.

5.2 No individual licensed under 10 **Del.C.** Ch. 27 shall carry a firearm unless the individual has first passed an approved firearms course of instruction and an initial qualification administered by an approved certified firearms instructor. The course of instruction shall include a minimum 40 hours of training. The Professional Licensing Section may waive the 40 hour training requirement depending upon the applicant's professional credentials, training and/or work experience (i.e. prior law enforcement). The initial qualification course may be used to fulfill one day and one low light requirement during the first year; however an additional day shoot must be completed at least 90 days after the date of initial certification, within the calendar year.

5.3 In order to carry a firearm, individuals licensed under 10 **Del.C.** Ch. 27 must shoot a minimum of three qualifying shoots per calendar year, scheduled on at least two separate days, with a minimum 90 days between scheduled shoots. Of these three, there will be one mandatory "low light" shoot and may be combined with a day shoot. Two day shoots shall not be completed on the same date.

5.3.1 An individual not meeting the minimum qualifications set forth in subsection 5.3 may be suspended from carrying a firearm while acting in the performance of their duties as a constable until such time that they meet the minimum three qualifying shoots within the calendar year.

5.4 Only the handguns with the following calibers are permitted:

5.4.1 9mm;

5.4.2 .357;

5.4.3 .38;

5.4.4 .40;

5.4.5 .45; or

5.4.6 .357 SIG.

5.5 All weapons must be either a revolver or semi-automatic and must be double-action or double-action only and must be maintained to factory specifications.

5.6 Under no circumstances will anyone under this Rule be allowed to carry any type of shotgun or rifle or any type of weapon that is not described herein.

5.7 All individuals must meet the minimum qualifications set forth in subsection 5.3 with the same make/model/caliber of weapon that he/she will carry.

5.8 All ammunition must be factory fresh (no re-loads).

5.9 The minimum passing score is 80%.

5.10 All licenses/commissions are valid for a period of two years, subject to proof of compliance of Section 5.0 by submission of shoot certification or re-certification forms to the Professional Licensing Section, by January 15th of each year for the previous calendar year.

Adopted 05/20/02
16 DE Reg. 996 (03/01/13)
19 DE Reg. 425 (11/01/15)